

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MMAS RESEARCH, LLC,

Plaintiff,

vs.

THE CHILDREN'S HOSPITAL
CORPORATION, et al.,

Defendants

Civ. A. No. 1:24-cv-12108-DJC

**THE CHILDREN'S HOSPITAL CORPORATION'S
MOTION TO CONTINUE SCHEDULING CONFERENCE**

The defendant, The Children's Hospital Corporation, moves that the Court reschedule the scheduling conference set for October 23, 2025. In support of this motion, the Hospital states as follows:

1. The undersigned is serving as chair of an arbitral tribunal in a case being administered by the American Arbitration Association. The case is scheduled for an in-person evidentiary hearing beginning on October 20, 2025, which is expected to last the entire week. Counsel for both parties to the arbitration will be traveling to Boston from Detroit and Chicago.
2. It would be difficult to reschedule the arbitration in a timely way, given that it would be necessary to coordinate the schedules of the three arbitrators, five lawyers from out of state, and the witnesses.
3. On August 12, shortly after the Court issued its order setting the scheduling conference, the undersigned asked counsel for the other parties for their agreement to reschedule the scheduling conference, either for the week of October 13 or else for the week of November 3 (the undersigned will be abroad the week of October 27), in light of his scheduling conflict.

4. Counsel for Dr. Morisky and Morisky Medication Adherence Research LLC has agreed to the request to reschedule. Counsel for the plaintiff has refused to agree. The plaintiff's counsel wrote: "In response to your suggestion below, you may need to reschedule your arbitration as we cannot change — due to several counsel who will attend other matters on that same date." Counsel later wrote: "[W]e are in the middle of replacing counsel and simply do not want to ask the judge to change dates." A true copy of the correspondence between counsel is attached as Exhibit 1.

5. This is a routine request to reschedule a scheduling conference. Counsel for the defendant has a serious conflict on October 23, and counsel for the plaintiff has not offered a sensible reason why the conference cannot be moved.

For these reasons, the Court should grant this motion and reschedule the scheduling conference, either for the week of October 13 or the week of November 3.

Respectfully submitted,

THE CHILDREN'S HOSPITAL
CORPORATION

By its attorney:

/s/ Theodore J. Folkman

Theodore J. Folkman (BBO No. 647642)
RUBIN AND RUDMAN LLP
53 State St.
Boston, Mass. 02109
(617) 330-7000
tfolkman@rubinrudman.com

Dated: August 20, 2025

CERTIFICATE OF COMPLAINT

I certify that I have conferred with counsel for the plaintiff and have attempted in good faith to resolve or narrow the issue.

/s/ Theodore J. Folkman